

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

WILLIE R. PETTENGILL, CHRISTOPHER
L. PETTENGILL, BRIDGET R. PETTENGILL
and WILLIE R. PETTENGILL,
as next friend of ENP, a minor,

Plaintiffs,

v.

HON. BRODERICK CAMERON, HON.
STEVEN R. CRAY, GAIL PROCK,
KERI HOEL, DEBORAH ASHER, RITA
RAIHLE, LAUREN OTTO, PAMELA VEITH,
ROBERT THORSON, NATASHA
HENNING, ESTATE OF NANSTAD, Deceased,
TERESA NANSTAD and DOES 1-20,

Defendants.

ORDER

17-cv-677-bbc

I dismissed this case on January 30, 2018, and granted the unopposed motions for sanctions under Fed. R. Civ. P. 11 filed by defendants Pamela Veith, Lauren Otto and Deborah Asher. Dkt. #46. On March 28, 2018, I denied plaintiffs' motion for reconsideration of the dismissal, granted a motion for sanctions filed by defendant Robert Thorson and instructed defendants Veith, Asher and Otto to supplement their request for fees and costs to reflect the time they spent responding to plaintiffs' motion for reconsideration. Dkt. #65.

Now before the court is the itemized statements of costs submitted by counsel for defendant Thorson, dkt, #68, as well as the updated statements submitted by counsel for

defendants Veith, Asher and Otto. Dkt. ##66, 67, 70. After reviewing the itemized statements and explanations from counsel, I find that the request for fees and costs submitted by counsel for defendant Thorson (\$4,988.70), as well as the additional costs submitted by counsel for defendants Asher (\$473.80), Veith (\$384.00) and Otto (\$643.50) are reasonable and appropriate sanctions under Rule 11. Therefore, I will grant defendants' requests for an award of sanctions against plaintiffs' counsel in these amounts.

Finally, I note that plaintiffs Willie Pettengill, Christopher Pettengill and Bridget Pettengill filed a brief, without assistance of their counsel, arguing that they should not be responsible for any sanctions because their attorney and his consultant are responsible for the actions leading to the sanctions. Dkt. #69. I agree. All of the Rule 11 sanctions that have been awarded in this case must be paid by plaintiffs' counsel, Eliyahu Yuli Kaplunovsky.

ORDER

IT IS ORDERED that

1. Defendant Robert Thorson's motion for sanctions, dkt. #68, is GRANTED. Plaintiffs' counsel, Eliyahu Yuli Kaplunovsky, may have until June 7, 2018, in which to pay Thorson \$4,988.70 to compensate him for the fees and costs incurred in defending this action.

2. Defendant Pamela Veith's motion for additional fees and costs in the amount of \$384.00, dkt. #66, is GRANTED. Kaplunovsky, may have until June 7, in which

to pay Veith an additional \$384.00 to compensate Veith for the fees and costs incurred in defending this action.

3. Defendant Deborah Asher's motion for additional fees and costs, dkt. #67, is GRANTED. Kaplunovsky may have until June 7, 2018, to pay Asher an additional \$473.30 to compensate Asher for the fees and costs incurred in defending this action.

4. Defendant Lauren Otto's motion for additional fees and costs, dkt. #70, is GRANTED. Kaplunovsky may have until June 7, 2018, to pay Otto an additional \$643.50 to compensate Otto for the fees and costs incurred in defending this action.

Entered this 4th day of May, 2018.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge